GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services — Forest Department - Sri T. Edwin, Typist (Dismissed), O/o Prl. CCF – Allegations of Forgery of the signature of the Accounts Officer-II - Dismissed from service – Modification of the penalty of dismissal from service to that of imposing withholding of two (2) Annual Grade Increments with cumulative effect – Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.MS.No. 1 **Dated: 05-01-2016.**

Read the following:

1.G.M.No.10138/For.IV/02, dated 20.09.2003
2.PCCF vide Ref.No.34455/2002-Z1, dated 23.09.2003
3. G.M.No.9761/For.IV/04, EFS&T (For.IV) Dept., Dt:30.05.2005
4. From Sri T. Edwin, Typist (Dismissed) Reprn. dt.28.1.2011.
5. G.M. No.678/For.IV/A1/2011-1, dt. 4.2.2011.
6. From the PCCF, Ref. No. 33535/2004/Z1, dt. 26.03.2011
7. G.M. No. 678/For.IV/A1/2011-2, dt. 28.04.2011.
8. G.M. No. 678/For.IV/A1/2011, dt. 25.09.2012.
9. From the PCCF, Ref. No. 33535/2004/Z1, dt. 06.10.2012.
10. Judgement of Hon'ble APAT in OA No.6653/2012, dt:18-7-2013
11. From Sri T. Edwin, Typist (Dismissed) Reprn. dt.01.08.2013.
12. G.M. No. 678/For.IV/A1/2011, dt.31.08.2013
13. From the PCCF, Ref. No. 33535/2004/Z1, dt. 12.10.2013.
14. G.M. No. 678/For.IV/A1/2011, dt.07.02.2015.
15. From the PCCF, Ref. No. 33535/2004/Admn-3, dt.9.06.2015.

<<>>

ORDER:

Sri T. Edwin (Alias Sri T. Surya Rao), formerly Typist, O/o Principal Chief Conservator of Forests, A.P., Hyderabad was charge sheeted on the allegations of submitting fake documents duly forgering the signatures of the Accounts Officer-II, O/o PCCF and by using fake official stamp of the Accounts Officer-II, for getting the loan sanctioned under "Union Comfort Scheme" from the Union Bank of India, Ramkote Branch, Hyderabad and from Vijaya Bank, SD Road, Secunderabad. During the Inquiry as per Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 it was revealed that all the (4) charges framed against him were **held proved beyond reasonable doubt**.

2. After careful examination of the matter Government have decided to impose the penalty of dismissal from service against Sri T. Edwin (Alias Sri T. Surya Rao), Typist, O/o the PCCF for forgery of the signatures of Accounts Officer-II, O/o the PCCF and requested the PCCF to take action immediately vide reference 1st read above. Accordingly, final orders were issued by the PCCF vide reference 2nd read above, by awarding the punishment of **dismissal** from service against Sri T. Edwin (Alias Sri T. Surya Rao, Typist.)

3. A complaint was also lodged with Additional Director General of Police, CID Andhra Pradesh, Hyderabad by the PCCF vide Ref.No.10379/2002-P1, dated.19-03-2002 to enquire into the matter. The Additional Director General of Police has investigated the case in Cr.No.6/2002 and filed charge sheet in IX M.M. Court, Hyderabad vide C.C.No.156/2003. The said criminal case ended in **conviction** on 16.04.2010 at the IV Addl. Metropolitan Magistrate Court, Hyderabad. He has been sentenced to undergo RI for one year on each count for the offence punishable under Sec.468, 469, 471 and 420 IPC and to pay a fine of Rs.1000/- and in default of payment of fine amount to undergo S.I. for (3) months for each default. The IV Addl. Chief Metropolitan Magistrate, Hyderabad, in its judgment dt. 16.04.2010 C.C.No.736/2003 filed by Sri T. Edwin, Typist (dismissed), has ordered that the Accused was found not guilty **on benefit of doubt** for the offence

punishable under sections 468,471 and 420 and he was acquitted of the same under section 248/1 Cr.P.C. Bail Bonds of the Accused shall stand cancelled and he is set at liberty.

4. The IV Addl. Chief Metropolitan Session Judge, Nampally, Hyderabad allowed the Cri. Appeal No.134/2010 filed by Sri T. Edwin (Alias Sri T. Surya Rao) (dismissed), in C.C.No.156/2003 dt. 01.10.2010 and **set aside the conviction and sentence** awarded by the lower court in C.C.No.156/2003, dated.16.04.2010 with directions to the Accused to execute personal bond for Rs.5,000/- with on surety U/Sec. 437-A Cr.P.C. to appear before revisionary court.

5. Sri T. Edwin, Typist (Dismissed), O/o PCCF has filed Cri.M.P.No.17947/2010 in C.C.No.156/2003 before the IV Addl. Chief Metropolitan Magistrate, Nampally, Hyderabad and the same was allowed and suspended the sentence till 13.05.2010 on condition to execute a bond for Rs.5,000/- with two sureties for a like some, subject to payment of fine amount.

6. Sri T. Edwin (Alias Sri T. Surya Rao) Typist (dismissed) vide reference 4th read above, while enclosing copies of judgments delivered by the IV Addl. Chief Metropolitan Magistrate, Hyderabad has requested to drop the Proc.No.10379/2000-P1, dated 26.06.2002 i.e., Article of Charges issued by the PCCF and to reinstate him into service with all consequential and attendant benefits.

7. The Addl. Director General of Police, CID, Hyderabad vide their Lr.No.6559/C2/C14/CID/EOW/2002-2015, dt:1-6-2015 has stated that the accused filed a Criminal Appeal Petition No.134 at IV Addl. Metropolitan Sessions Judge, Hyderabad hearing the case the Hon'ble Court acquitted the accused vide Judgement dt:1-10-2010. The CID preferred an appeal against the judgment dt. 1.10.2010 and filed Writ Appeal on Criminal Appeal No.134/2010 in the Hon'ble High Court. The appeal petition was dismissed by the Hon'ble High Court of A.P. vide CRL.A.MP.No.1839 of 2013 and CRL.A.(SR) No. 38051 of 2013, dt. 4.12.2013 which was in favour of the accused.

8. Government, after careful examination of the matter, with reference to the remarks of the Prl. Chief Conservator of Forests, A.P., Hyderabad. and the judgment of the Hon'ble APAT in OA No.6653/2012, Dt:18-7-2013, have decided to modify the penalty of dismissal from service against Sri T. Edwin(Alias Sri T. Surya Rao) Typist, awarded vide reference 2nd read above, to that of "withholding of two (2) Annual Grade Increments with cumulative effect".

9. Accordingly, Government, hereby order to modify the penalty of dismissal from service awarded vide reference 2nd read above, against Sri T. Edwin(Alias Sri T. Surya Rao) Typist, to that of imposing "withholding of two (2) Annual Grade Increments with cumulative effect".

10. The Prl. Chief Conservator of Forests, A.P., Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASHWINI KUMAR PARIDA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Prl. Chief Conservator of Forests, A.P., Hyderabad.
The Individual concerned(Through the PCCF)
Copy to:
The Accountant General, A.P., Hyderabad.
The Director of Treasuries & Accounts, Hyderabad, A.P.
The Addl. Director General of Police, CID, Telangana, Hyderabad
Sf./Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER